

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/900

JUN 18 2002

RECEIVED

Applicant: DELACK, Elaine A.)
Serial No.: 09/887,832) Examiner: Pryor, Alton Nathaniel
Filing Date: 06/21/2001) Art Unit: 1616
For: METHOD FOR TREATMENT OF) Docket No. P0136
NEURODEGENERATIVE DISEASES)
AND THE EFFECTS OF AGING)

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents and Trademarks
U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

This is a response to the Restriction Requirement mailed 13 May 2002. A response is due 13 June 2002. It is believed that no fee is due to keep this application in full force and effect, however, if any fee is due, please charge it to Deposit Account 08-1254.

The Restriction Requirement dated 13 May 2002 requires the restriction to one of the following inventions under 35 USC 121:

- I. Claims 1, 4, drawn to the method of administering histamine N-methyltransferase to a patient, classified in class 435, subclass 15.
- II. Claims 19, 20, drawn to a method of administering a histamine H3 antagonist such as thioperamide to a patient, classified in class 514, subclass 326.
- III. Claims 21- 24, drawn to a method of administering a monoamine oxidase-A agonist such as reserpine to a patient, classified in class 514, subclass 280.

In accordance with the Restriction Requirement, the Applicant directs the following:

III. Claims 21- 21, drawn to a method of administering a monoamine oxidase-A agonist such as reserpine to a patient, classified in class 514, subclass 280.

As was discussed in a telephone conversation between the Examiner and the undersigned on 28 May 2002, pending claim 18 was not included in the Restriction Requirement. Claim 18 is directed to a method to administering monoamine oxidase-A; Applicant therefore believes that claim 18 should be included in Invention III, because the operation and effect are substantially similar to those of administering a monoamine oxidase-A agonist as recited in claims 21-24.

The Office Action also required Applicant to elect a single disclosed species to which the claims shall be restricted if no generic claim is finally held to be allowable; specifically, Applicant was required to elect a specific compound to be administered to the patient. In accordance with this requirement, Applicant elects a species within Invention III, wherein the specific compound to be administered is reserpine. Presently, pending claims 22-24 are readable thereon.

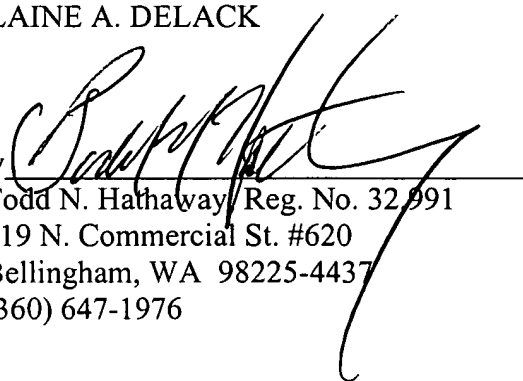
If there is any matter which could be expedited by consultation with the Applicant's attorney, such would be welcome. The Applicant's attorney can normally be reached at the phone number listed below.

Signed at Bellingham, County of Whatcom, State of Washington this 5th day of June, 2002.

Respectfully submitted,

ELAINE A. DELACK

By


Todd N. Hathaway/ Reg. No. 32,991
119 N. Commercial St. #620
Bellingham, WA 98225-4437
(360) 647-1976

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date shown below.

5 June 2002
Date

Marilee S. Wolten
(Print name of person mailing paper)
Marilee S. Wolten
(Signature of person mailing paper)